UNITED STATES DISTRICT COURT

District of MASSACHUSETTS

United States of America

V.

RAUL BAEZ

Defendant

ORDER SETTING CONDITIONS OF RELEASE

Case Number: CR 95-10274-RGS

IT IS ORDERED that the release of the defendant is subject to the following conditions:

(1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.

(2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.

(3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified) U.S. DISTRICT COURT in Boston, MA
Place

______ on 9/8/08 at 11:00 a.m.
Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that ~~the defendant be released~~ provided that:

(✔) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.

(   ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of ______ dollars ($ ______) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

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Additional Conditions of Release

Upon finding that release by one ofthe above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community.

IT IS FURTHER ORDERED that the release of the defendant is subjeet to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or ______

(Address) ______

(City and state) ______ (Tel. No.) ______

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: ______ ______
Custodian or Proxy Date

(X) (7) The defendant shall:

( ) (a) report to the ______,
telephone number ______, not later ______.

( ) (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:
______

( ) (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described
______.

( ) (d) execute a bail bond with solvent sureties in the amount ______.

( ) (e) maintain or aetively seek employment.

( ) (f) maintain or commence an education program.

( ) (g) surrender any passport ______

( ) (h) obtain no passport.

(X) (i) abide by the following restrictions on personal association, place of abode, or travel:
Maintain residence at 114 Essex Street, Lynn, MA.

( ) (j) avoid all contact, directly or indireetly, with any persons who are or who may beeome a victim or potential witness in the subject investigation or prosecution, including but not limited ______
______

( ) (k) undergo medical or psychiatric treatment and/or remain in an institution as ______
______

( ) (l) retum to custody each (week) day as of ______ o'cloek after being released each (week) day as of ______ o'clock for employment, schooling, or the following limited
______

( ) (m) maintain residence at a halfway house or community eorrections center, as deemed necessary by the pretrial services office or supervising officer.

( ) (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

( ) (o) refrain from ( ) any ( ) excessive use of alcohol.

( ) (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

( ) (q) submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urinetesting, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance sereening or testing.

( ) (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

( ) (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and aceuracy of any prohibited substance testingor electronic monitoring which is (are) required as a condition(s) of release.

( ) (t) participate in one of the following home eonfinement program components and abide by all the requirements of the program ( ) will or ( ) will not inelude electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your to pay as determined by the pretrial services office or supervising officer.

( ) (i) **Curfew.** You are restricted to your residence every day ( ) from ______ to ______, or ( ) as directed by the pretrial services office or supervising officer; or

( ) (ii) **Home Detention.** You are restricted to your residence at all times exeept for employment; education; religious services; medical, substance abuse, or mental health treatment; attomey visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial servicees office or supervising offieer; or

( ) (iii) **Home Incarceration.** You are restrieted to your residence at all times exeept for medical needs or treatment, religious servicees, and court appearances pre-approved by the pretrial services office or supervising officer.

( ) (u) report as soon as possible, to the pretrial services office or supervising officer any contaet with any law enforeement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

(x) (v) Defendant is to stay away from the city of Salem, MA except when needed for work. Defendant is not to go to the residence of 8 Wheatland St. In Salem, MA under any circumstances.

(x) (w) Defendant is to comply with all conditions of Supervised Release
______
______

(x) (x) Travel is restricted to MA, NH
______
______

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a $250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a $250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than $250,000 or imprisoned for not more than 10 years, or both;
(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than $250,000 or imprisoned for not more than five years, or both;
(3) any other felony, you shall be fined not more than $250,000 or imprisoned not more than two years, or both;
(4) a misdemeanor, you shall be fined not more than $100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

[signature]
Signature of Defendant

114 Quxess St. Lynn.
Address

City and State Telephone

Directions to United States Marshal

( ) The defendant is ORDERED released after processing.
( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerkor judge that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judge at the time and place specified, if still in custody.

Date: ______________________

Signature of Judicial Officer

Name and Title of Judicial Officer

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL